

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 04-CR-198

GARY J. GOMEYOSH,

Defendant.

ORDER DENYING MOTION FOR FURTHER MODIFICATION OF BOND

The defendant has requested that the conditions of his release be modified to delete the requirement of electronic monitoring. He notes that he has been on electronic monitoring since October 7, 2004, and has been compliant throughout this period of time.

The government opposes the defendant's request, noting that he is currently charged with involuntary manslaughter arising out of his alleged intoxicated use of a motor vehicle. The government also notes that the defendant has an extensive history of alcohol abuse and arrests for alcohol-related offenses, including five separate arrests for operating while intoxicated. Based upon these facts, the government contends that the condition of electronic monitoring is reasonable and necessary for the protection of the public.

Having considered the arguments of counsel, I conclude that the bond should not be further modified and that the condition of electronic monitoring should remain in effect. Given the seriousness of the offense and the history of alcohol abuse, it is important that the defendant's conduct be closely monitored. Electronic monitoring is a means of accomplishing that. The fact

that it has been successful and the defendant has been compliant does not mean that continuing the condition is not necessary and not helpful to insure the defendant's continued compliance.

Accordingly, the defendant's request to have this condition deleted from his release order is **DENIED**.

SO ORDERED.

Dated this 2nd day of July, 2005.

s/ William C. Griesbach
William C. Griesbach
United States District Judge